

09/733,392 & 90/005,710

DEC 21 2006

12/21/06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMBINED PROCEEDING

For U.S. Patent No. 5,846,435

In the Re-issue application of Haase

Serial No. 09/733,392

Filed December 7, 2000

In the Re-exam application of Haase

Control No. 90/005,710

Filed April 24, 2000

Title: Method for Dewatering Sludge

www.ck12.org

EXAMINER: Chester Barry

Group Art Unit 1724

Patent Owners Docket

for Re-issue: 27410/002RI

for Re-Exam: 27410/002RX

3'rd Party Requester's Docket:

RE-US 5846435

DECLARATION OF MR. RICHRD A. HAASE

My name is Mr. Richard A. Haase. I am of sound mind, capable of making this Declaration based on the facts stated herein.

1. I am the President of ClearValue, Inc. and the owner of U.S. Patent 5,846,435.
2. I am aware of no: industry publication, U.S. Patent, teaching or use prior to my work in the method of dewatering sludge as presented in the instant claimed invention.
3. I should be viewed as at least someone of expert skill in the art of water chemistry, biochemistry and thermodynamics, including the dewatering of biological sludge from a thermophilic digestion process.
4. I agree with the declaration of Mrs. Audrey Haase relating to the teaching and commercial success of the instant claimed invention by my company and myself in both College Station Texas and Texarkana, Texas prior to copying by Allied Colloids, SNF and Callaway Chemical Company.
5. Having knowledge of the teachings of Dentel and in an effort to develop business, I contacted the Hyperion Wastewater Plant for the City of Los Angeles. I was informed by Sr. Ramaro Puhawan that the Hyperion Wastewater Plant dewater biological solids that have been digested by a thermophilic digestion process using a Mannich Polymer supplied by Polydyne. At true and correct copy of my facsimile communication to Sr. Puhawan and his return documents are attached as Exhibit A.

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6. I attest as the custodian of my business records that the attached Exhibit A is a true and correct copy of accurate documents kept in my business files.
7. Mannich polymers are well known polyquaternary ammonium compounds within the water treatment industry.
8. I hereby declare that all statements made herein are of my own knowledge are true and that all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Full Name of Declarant:

Mr. Richard A. Haase

Residence:4402 Ringrose Drive
Missouri City, Texas 77459**Citizenship:**

USA

Mailing Address:

Same as above

Date: December 21, 2006**Signature of Declarant**

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12/21/06

Exhibit A

Richard A. Haase
President & CEO
richard@clearvalue.com



ClearValue, Inc.
P.O. Box 623
Sugar Land, Texas 77487-0623
Telephone: 281.281.9543
Telecopy: 281.281.6505

Telecopy Information

☐ **URGENT** **DATE** 10/03/02 **TIME** 12:45 **Attached Pages** 6
TO Sr. Ramaro Puhawan **FIRM** City of Los Angeles
FAX # 213.485.5341 **PHONE #** 281.485.3877 ✓

Sr. Ramaro Puhawan:

It is with unfortunate responsibility that I must inform the City of Los Angeles that a "Known" violator of our US Patent 5,846,435 is Polydyne, Inc.

While the City of Los Angeles may not have been aware of such infringement, I am attaching a copy of US Patent No. 5,846,435 for review.

ClearValue respectfully asks for a copy of contract number 57615 by fax or US mail.

ClearValue respectfully asks that The City of Los Angeles respect US Patent No. 5,846,435 by not engaging in direct infringement or working with others in contributory infringement.

As always in these matters, ClearValue welcomes any discussions of product supply or licensing.

Your prompt attention to this matter is genuinely appreciated.

Yours,

Richard A. Haase,

President & CEO

Attachment: USP 5,846,435

TRANSMISSION VERIFICATION REPORT

TIME : 10/03/2002 12:44
NAME : CLEARVALUE
FAX : 2812616505
TEL : 2812619543

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

10/03 12:37
12134855341
00:06:58
07
OK
PHOTO

City of Los Angeles, California Contract

City of Los Angeles Purchasing Agent
111 E. 1ST STREET
ROOM 110
LOS ANGELES CA 90012

Vendor ID: 0000024310
POLYDYNE INC
ONE CHEMICAL PLANT ROAD
P O BOX 279
RICEBORO GA 31323

Contract ID	57815	Page	4
Contract Dates	05/01/2001 to 08/31/2009	Rate Date	08/09/2001
Description:	POLYMER LIQUID CATIONIC	Contract Maximum	31,000,000.00

Line #	Item ID	Item Desc	Qty	Item Minimum Order	Unit	Item Contract Maximum	Unit
1	120000000046	POLYMER, CATIONIC FOR TILLMAN WRP AND TERMINAL ISLAND			0.00	0	0.00

Price Agreement: Price Date: PO Date
Price Quantity: Line Quantity
Quantity Type: Current Order Quantity
Contract Base Price \$ 0.18730 LB

CATIONIC POLYMER, LIQUID, MANNICH, OR EQUIVALENT
FOR CITY OF GLENDALE WATER RECLAMATION PLANT

BRAND NAME QUOTED ON: CLARIFLOC LA-2691

PRICE FOR POLYMER (ACTIVE DRY WT): \$1.82/LB
PRICE FOR POLYMER (AS IS BASIS): \$0.0853/LB

CONVERSION FOR LIQUID CATIONIC POLYMER AS FOLLOWS:
\$1.82/LB x 3/4% = \$0.0853/LB

FOB DESTINATION
(PRICE TO INCLUDE DESCALING AGENT, IF REQUIRED)

(PRICE BASED ON DELIVERY OF 2000 GALLONS)

CATIONIC POLYMER, CLARIFLOC C305 SOLUTION,
DELIVERED IN 5,000 GALLON T/T QUANTITIES TO
THE TILLMAN WRP AND THE TERMINAL ISLAND
WWTP.

BRAND NAME QUOTED ON: CLARIFLOC C305

2 POLYMER, CATIONIC LIQUID FOR TERMINAL ISLAND

Price Agreement: Price Date: Due Date
Price Quantity: Line Quantity
Quantity Type: Current Order Quantity
Contract Base Price \$ 1.20490 LB

CATIONIC POLYMER, MANNICH, OR EQUIVALENT
FOR WASTE ACTIVATED SLUDGE THICKENING AND DEWATER-
ING AT TERMINAL ISLAND PLANT IN ACCORDANCE WITH
THE SPECIFICATIONS ON BID NO. FB255.

BRAND NAME QUOTED ON: CLARIFLOC LA-2691

PRICE FOR POLYMER (ACTIVE DRY WT): \$ 1.152/LB
PRICE FOR POLYMER (AS IS BASIS): \$0.03920/LB

CONVERSION FOR LIQUID CATIONIC POLYMER AS FOLLOWS:
\$1.152/LB x 3/4% = \$0.03920/LB

FOB DESTINATION
(PRICE TO INCLUDE DESCALING AGENT, IF REQUIRED)

DOSEAGE: 18.0 LBS/T

ATTN: RICHARD
HAASE

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281-261-6505

Oct 23 2002 10:52 P.01

CITY OF LA G/S PURCHAS FAX:2134855341

City of Los Angeles, California Contract

City of Los Angeles Purchasing Agent
111 E. 1ST STREET
ROOM 110
LOS ANGELES CA 90012

Vendor ID: 0000024310
POLYDYNE INC
ONE CHEMICAL PLANT ROAD
P O BOX 276
RICEBORO GA 31323

Contract ID 57615	Page 5
Contract Dates 05/01/2001 to 06/31/2003	Asile Date 04/02/2001
Description: POLYMER LIQUID CATIONIC	Contract Maximum 31,000,000.00

Line #	Item ID	Item Description	Item Minimum Order Qty	Item Contract Maximum Qty	Item Contract Maximum Amt
3		DEMURRAGE RATE (MINIMUM DELIVERY: 6000 GALLONS)	0	0	0.00
Price Agreement: Price Date: Due Date Price Quantity: Line Quantity Quantity Type: Current Order Quantity Contract Base Price \$ 50.00000 HR DEMURRAGE RATE: \$ 50.00/HR HOURS OF FREE DEMURRAGE TIME: 2 HRS					
4	120000000148	POLYMER, LIQUID CATIONIC FOR HYPERION TREATMENT PLANT AND TERMINAL ISLAND	1	0	0.00
Price Agreement: Price Date: PO Date Price Quantity: Line Quantity Quantity Type: Current Order Quantity Contract Base Price \$ 0.04100 LB CATIONIC POLYMER, LIQUID, MANNICH, OR EQUIVALENT FOR WASTE ACTIVATED SLUDGE THICKENING AND DEWATERING AT THE HYPERION TREATMENT PLANT AND TERMINAL ISLAND PLANT. BRAND NAME QUOTED ON: CLARIFLOC LA-2681 PRICE FOR POLYMER (AS IS BASIS): \$0.03920/LB FOB DESTINATION (PRICE TO INCLUDE DESCALING AGENT, IF REQUIRED) (PRICE BASED ON DELIVERY OF 5000 GALLONS)					
5		POLYMER, CATIONIC FOR CITY OF GLENDALE	1	0	0.00
Price Agreement: Price Date: PO Date Price Quantity: Line Quantity Quantity Type: Current Order Quantity Contract Base Price \$ 2.00810 LB CATIONIC POLYMER, MANNICH, OR EQUIVALENT FOR CITY OF GLENDALE WATER RECLAMATION PLANT BRAND NAME QUOTED ON: CLARIFLOC LA-2681 PRICE FOR POLYMER (ACTIVE DRY W/T): \$ 1.92/LB PRICE FOR POLYMER (AS IS BASIS): \$0.0853/LB CONVERSION FOR LIQUID CATIONIC POLYMER AS FOLLOWS: \$1.92/LB x 3/4% = \$0.0634/LB FOB DESTINATION (PRICE TO INCLUDE DESCALING AGENT, IF REQUIRED)					

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BEST AVAILABLE COPY

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CT114 LF LH 6/S FUKUHS FAX: 7134855341